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March 26, 2020

The Honorable Cheryl L. Pollak  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY 11201

Re: **1:19-cv-07256-WFK-CLP, Plaintiff's Letter Motion for Extension of Time Within Which to Effectuate Service on John Doe Defendant**

Dear Judge Pollak:

As you know, I represent Plaintiff in the above captioned matter. Plaintiff respectfully requests an order extending the time within which to serve Defendant with a summons and Complaint. This is Plaintiff's first request for an extension of time with which to effectuate service of process.

On December 27, 2019, Plaintiff filed the instant case against John Doe, subscriber assigned IP address 67.245.246.132 ("Defendant"), alleging Defendant infringed sixty-five of Plaintiff's works through the BitTorrent protocol. [Dkt. No. 1]. Because Defendant is only known to Plaintiff by Defendant's IP address, on January 15, 2020, Plaintiff filed a Motion for Leave to Serve a Third Party Subpoena Prior to a Rule 26(f) Conference ("Motion for Leave") in order to serve a third party subpoena on Defendant's ISP. [Dkt. No. 7]. Plaintiff's Motion for Leave is currently pending before the Court.

Pursuant to Fed. R. Civ. P Rule 4(m), Plaintiff is required to effectuate service on the Defendant by no later than March 26, 2020. Without permission to serve the third party subpoena on Defendant's ISP, Plaintiff cannot learn Defendant's identity and, therefore, is unable to proceed with its case and is unable to comply with the current service deadline.

The Honorable Cheryl L. Pollak  
March 26, 2020

For the foregoing reasons, Plaintiff respectfully requests that the time within which it must effectuate service of a summons and Complaint on the John Doe Defendant be extended an additional sixty (60) days, and thus the deadline to effect service be extended to May 25, 2020.

Respectfully Submitted,

*/s/ John C. Atkin*

John C. Atkin, Esq.